



PATENT  
Docket No. 511582001310

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 23, 2004

Signature: *Cecilia Huerta*

(Cecilia Huerta)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Daniel E.H. AFAR et al.

Serial No.: 10/759,803

Filing Date: January 16, 2004

For: NOVEL PROSTATE-RESTRICTED GENE  
EXPRESSED IN PROSTATE CANCER

Examiner: Not yet assigned

Group Art Unit: 1616

**STATEMENT TO SUPPORT FILING AND SUBMISSION  
IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825 AND §§ 1.52(e) AND 1.96(c)**

MAIL STOP MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, the undersigned hereby states that the content of the attached paper copy of the sequence listing and the computer readable copy of the sequence listing submitted in accordance with 37 C.F.R. §§ 1.821-1.825, in U.S. Application No. 09/547,788, on April 12, 2000, and identified as 511582001300, are identical. The submission includes no new matter.

The present application is a divisional application of U.S. Application No. 09/547,788. Applicants request that the Patent Office use the computer readable form of the sequence listing on file for U.S. Application No. 09/547,788 in lieu of filing a duplicate computer readable form in the instant application.

Applicants request consideration and entry of the Sequence Listing paper copy and computer readable copy. Pursuant to 37 C.F.R. 1.77, please enter the paper copy of the Sequence Listing after the Abstract.

In the unlikely event that the Patent Office determines that an extension and/or other relief is required as a result of this statement, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due to our **Deposit account no. 03-1952** referencing 511582001310. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: August 19, 2004

By: 

David L. Devernoe  
Registration No. 50,128

Morrison & Foerster LLP  
3811 Valley Centre Drive,  
Suite 500  
San Diego, California 92130-2332  
Telephone: (858) 720-7943  
Facsimile: (858) 720-5125